

Re: MUR 7113 (Power of Liberty)

OFFICE OF
GENERAL COUNSEL

2018 AUG -9 PM 1:46

steve gill

Tue 4/10/2018 1:43 PM

To: Camilla Jackson Jones <cjacksonjones@fec.gov>;

Camilla:

Thanks for the note, sorry for the delay in responding. Between a new granddaughter in Colorado a few weeks ago and reaching people during various Spring Breaks the past several weeks, I have only just now been in contact with the contacts to pull more of the contracts and information together.

As I mentioned before, the computer used for Power of Liberty was hit by ransom ware and all of the emails containing the contacts with radio stations for the buys we have discussed were lost. You have the radio spots themselves that we were able to retrieve from the producer's files. As we have noted NONE of the spots that aired ever urged anyone to "vote" either for or against any candidate. Most of the spots ran OUTSIDE the thirty day period before the August primary election in 2016. ALL of the spots were bought BEFORE the thirty day period in advance of the election, in fact in late June, 2016, with the exception of a few additional spots that were added in the last few days prior to the election.

It was our understanding that the additional number of spots added at a few stations in the final few days before the August Primary date required a supplemental report. We attempted to file that report for several days heading into the weekend before the election but were unable to do so and were unable to reach anyone by phone at the FEC general phone number to seek assistance. Our accountant, Troy Brewer, was finally able to reach one of his contacts via a direct number that he had and was able to assist in getting the supplemental report into the system. He is preparing a statement to that effect and you should have it by week's end. Those additional ads also did not urge anyone to vote for or against any particular candidate.

I have been able to recover several of the contracts with radio stations that were submitted to them via SignNow and will forward them to you shortly. You will see that, as I have mentioned, we made the buys before the end of June, and outside the thirty day window before the August Primary. I am still trying to get a few remaining contract copies from the various stations, but am only missing one or two at this point.

Finally, I don't know if this might be relevant to or a possible resolution to this investigation and conciliation but since the August, 2016 Tennessee primary election Power of Liberty has not done ANY advocacy that would be considered candidate specific of any kind. We have been solely focused on encouraging Christian voters to "pray, discern, and vote" without making any reference in any way to any party or candidates. This has been the focus of our Lift the Vote project (www.liftthevote.org) and our continued social media efforts on Facebook at Lift the Vote. Our focus is 100% on the project and during the balance of the 2016 election season we distributed 400,000 "I'm a Christian, I'm voting" stickers in 9 different states. Power of Liberty does not intend to do any election advocacy targeting any candidates or particular party in the 2018 campaign season and beyond, and has not done any direct advocacy related to a candidate or party since the August, 2016 primary election ended.

As a part of resolving this matter quickly and without further cost or expense, or time by the FEC or your investigators, is there a process of (for lack of a better term) entering a "consent decree" whereby Power of Liberty would agree to only engage in the Lift the Vote get out the vote efforts and not engage in any direct candidate advocacy or opposition in the future. We could do something like an agreed order that if we violate the terms a specific fine would be imposed if you feel there needs to be some punitive aspect if we violate the terms. Possibly expungement at the end of the 2020 election cycle if we comply with our Consent Agreement?

This idea may not fit the normal parameters of the handling of these matters, but if it is possible then we would be happy to discuss formulating this sort of resolution. Don't know if anyone has suggested anything similar in the past, but it certainly fits

what we have been doing and intend to do going forward so we would be happy to put it into an appropriate form of an agreement if it makes sense to you.

I will start pushing those SignNow agreements to you in a few minutes. Once you look them over, we can talk sometime Thursday if that fits your schedule. Thank you so much for your patience and assistance.

Steve Gill
Chairman, Power of Liberty

On Apr 10, 2018, at 10:18 AM, Camilla Jackson Jones <cjacksonjones@fec.gov> wrote:

Mr. Gill,

I hope this finds you well. I write to follow up on the voicemail message I left you this morning. It has been several weeks since you have communicated with us or produced documents to assist with the investigation and conciliation of this matter. Please contact me today to discuss whether you are still interested in conciliating this matter. If I do not hear from you by COB on Friday, April 13, 2018, I will assume that you are no longer interested in cooperating with the investigation and conciliation. Once we move on to the Probable Cause part of the process, the opportunity to conciliate will be permanently foreclosed. Therefore, it is very important that we discuss this matter as soon as possible.

Regards,
Camilla

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